UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,784	09/01/2000	Franciscus Cornelis Caris	US 000220	5607

24738 7590 12/02/2005

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
INTELLECTUAL PROPERTY & STANDARDS
1109 MCKAY DRIVE, M/S-41SJ
SAN JOSE, CA 95131

EXAMINER	
PRIETO, BEATRIZ	
ART UNIT	**PAPER NUMBER**
2142	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,784	CARIS ET AL.	
	Examiner	Art Unit	
	Prieto B.	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,7-12,14-16 and 19-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,7-12,14-16 and 19-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Amendment filed 09/08/05, amending claims 1, 2-3, 7-12, 15-16, 19-20, 22 and 23 have been amended, claims 4-6, 13 and 17-18 have been canceled. Claims 1-3, 7-12, 14-16 and 19-25 have been examined.

2. Claims as amended require a second search for subject matter not previously claimed (see MPEP §904.01).

3. Previous suggestion set forth for applicant's consideration is withdrawn, obviated as a result of the above mentioned search by the below presented pertinent prior art of record.

4. Claims 2 and 3 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Thus, for example, if claim 1 recites the combination of elements A, B, C, and D, a claim reciting the structure of claim 1 in which D was omitted or replaced by E would not be a proper dependent claim, even though it placed further limitations on the remaining elements or added still other elements (see MPEP 608.01(n)).

5. Claim 7 is objected to because it fails to comply in form as set by MPEP 608.01(m). While there is no set statutory form for claims, the present Office practice is to insist that each claim must be the object of a sentence starting with "I (or we) claim," "The invention claimed is" (or the equivalent). If, at the time of allowance, the quoted terminology is not present, it is inserted by the Office of Patent Publication. Each claim begins with a capital letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations. See Fressola v. Manbeck, 36 USPQ2d 1211 (D.D.C. 1995) (see MPEP 608.01(m)).

Claim Rejection under 35 USC 103

6. Quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.

7. Claims 1-3 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (US 5,410,326) in view of Lea (US 6,477,573).

Regarding claim 1, Goldstein teaches a method for programming a remote control device to controlling a variety of consumer equipment (col 3/lines 14-28, col 1/lines 6-11);

connecting a cable television converter box (appliance) to a service provider (server) over a network in response to a user controlling a remote control device (col 4/lines 9-26);

server including a program origination facility (col 12/lines 23-33), a head end cable facility (col 13/lines 47-57, col 16/lines 28-32) and a data base service provider (col 15/lines 20-26, and col 21/lines 43-56, over a network col 8/lines 42-46);

requesting by the service provider in response to said connection via said appliance (112), information from the user to provide corresponding to the user's equipment for which codes are desired (col 15/lines 41-44);

the user supplying to the server via the appliance said requested information (col 15/lines 44-48),

the server retrieving from a repository based on said supplied information the corresponding equipment control codes requested (col 15/lines 46-53);

repository correlated the equipment information received with their corresponding control codes (col 15/lines 49-53);

downloading from said server connected to said appliance requested control codes (col 15/lines 49-53, 62-67, col 16/lines 1-3);

programming the remote control with said control codes from the service provider via a bidirectional communication link the remote control device downloaded via the appliance (col 13/lines 47-55, col 16/lines 29-32) including

downloading from a source of programming code (server) to the interface/converter code data for use in controlling electronic equipment and programming the remote control according to code data via said appliance (col 3/lines 14-44), said interface being part of the appliance (col 4/lines 14-25);

although Goldstein teaches said information supplied by the user is via said appliance's telephone interface connected to said provider; and downloading IR codes for controlling different types of equipment including stereophones and VCR and correlating the equipment with the corresponding IR codes, he does not explicitly teach where said repository correlates the version and equipment brand with their corresponding control codes;

Lea teaches a registry serving as directory service for a consumer electronic network, the registry comprising listing of software elements in the network software of a network device (112), specifically, element information or attributes corresponding to a listing of software elements in the network software (316), software elements include device control modules (422) and one or more corresponding functional control modules (423) (col 6/lines 6-40), said network device (112) comprising various types of consumer electronics devices, such as PCs, digital video disk devices, television sets, audio reproduction systems, video tape recorders (VCRs) and set-top boxes for digital video broadcasting (col 4/lines 28-41). The device control module (422) includes a software element that is used to control a specific corresponding device on the network and includes one or more directly corresponding functional control modules (423) that each control a specific functional component within the particular device that corresponds to the module (423) (col 6/lines 52-67);

said registry (412) includes means (416) which maintain a current list of all devices in the network including updating relevant software element when ever a device is added of removed from the network (col 7/lines 13-29), said registry includes a software identifier corresponding to the network device and a corresponding attribute list, the attribute list include relevant information corresponding to the associated software element, including element manufacturer, element model, a version level (col 7/lines 52-65);

creating queries to locate a desired software element in the network, said queries configured in any appropriate format, may specify desired criteria such as software element attributes (col 8/lines 16-23), transmitted queries perform a lookup procedure to determine whether any registered software element satisfies the query criteria (i.e. match), returning the identifier of the software element which satisfies the criteria (col 8/lines 16-33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings for programming a remote control device to controlling a variety of consumer equipment, the teachings of Lea for providing a directory service for a network comprising various types of consumer electronics devices above-mentioned including remote control device, would be read readily apparent. One would be motivated utilize Lea's registry correlates the version and equipment manufacture with their corresponding software element (control codes), and/o to propagate remote queries that conserve network resource and minimize the network traffic, further given the capabilities in the Goldstein system the menus provided by the data base and selectable using the remote control as configured by therein may select updated version of software elements searchable at the data base by the

consumer in response to an upgrade advertisement broadcast by the head end to its subscribers according to their contracts.

Regarding claim 2, a menu for the consumer based on his/her subscription, i.e. subscriber's services for programming the consumer's remote control device (Goldstein: col 10/lines 3-10, col 16/lines 28-32, col 18/lines 14-22).

Regarding claim 3, transmitting a downloaded codes via a wireless link from the set-top converter "appliance" to the remote control device for programming (Goldstein: col 18/lines 14-22).

Claims 4-6 (canceled)

Claims 17-18 (canceled)

Regarding claim 20, a single user action associated with the menu on the programmable device allows the execution of multiple activities on a particular consumer equipment (Goldstein: col 14/lines 3-28).

Regarding claim 21, a display for graphically representing on the remote control for programming it (Goldstein: col 14/lines 3-28).

Regarding claim 22, programming the remote control device according to the menu system (Goldstein col 14/lines 3-28) using an appliance to download programming data to the remote control device (Goldstein: col 12/lines 23-33).

8. Claims 7-12, 14-16, 19, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein in view of Lea in further view of LaRocca et. al. (US 6,314,572) LaRocca (hereafter).

Regarding claim 7, comprising similar limitation as those discussed on claim 1, same rationale of rejection is applicable, further limitations include

an appliance configured to provide from a programming source (server) control codes to a remote device (Goldstein: col 3/lines 14-44);

said control codes from said server are provided according to information (user profile) associated with the remote control device (col 3/lines 45-51 and col 4/lines 6-10);

the remote control device configured to control the appliance (col 3/lines 14-28);

the remote control device when operated by the user causing a connection between the appliance and a service provider (server) (col 4/lines 11-26);

said server discloses using sets of information, plurality of user profiles, e.g. a contracts or subscriptions for a plurality of consumers "user profiles" to which services are provided (Goldstein: col 17/lines 62-col 18/line 3);

said server configured to request information from an appliance corresponding to equipment responsive to connection with the appliance (col 15/lines 41-44); although Goldstein teaches maintaining subscription information for each subscriber of a plurality of subscriber sent to the head end system (i.e. server) information that identifies consumer electronics equipment, for providing to each subscriber services in accordance to each individual subscription, it does not explicitly describe where this information is stored in a data repository, e.g. a database;

LaRocca teaches storing a subscriber/consumer profile and billing information in a database (154) of a customer management system (150), database 154 containing specific customer subscription information pertaining to a customer's type of services (col 5/lines 27-41 and base subscription col 9/lines 52-65).

It would have been obvious to one ordinary skilled in the art at the time the invention was made, that the consumer's subscription in the Goldstein reference(s) including information that identifies the consumer electronics equipments for which the head end is to download IR codes via the cable converter to control different appliances for each consumer according to their respective subscription, is a stored file or record pertaining to each consumer. Subscription information it identifies the services the consumer has paid for and the services the head end will provide, it would have been obvious and readily apparent to one ordinary skilled in the art that each consumer subscription file or record is stored, means to store subscriber's files are further exemplified by the LaRocca reference as being stored in a storage medium, e.g. a database.

Regarding claim 8, the appliance connected to said server enables the consumer "user" to "customize" the programming of the remote control device with codes received from the server (Goldstein: col 10/lines 3-10).

Regarding claim 9, the appliance transmits programming code via wireless signal to the remote control device (Goldstein: RF link col 17/lines 33-31).

Regarding claim 10, appliance is a cable television converter (set-top) box (Goldstein: col 5/lines 29-41).

Regarding claim 11, comprises limitation discussed on claim 1, same rationale of rejection is applicable. Further limitation include, stored information ("~~customer base~~" data repository) on each consumer "user profiles" that identifies at the server information associated with the consumer including the identifying the remote control devices with which the set-top converter "appliance" is authorized to operate and supplying all the required IR codes to operate consumer's electronic equipment (LaRocca: database (154) col 5/lines 27-41 and base subscription col 9/lines 52-65 and Goldstein: col 17/lines 62-67).

Regarding claim 12, supplying services including consumer's remote control device programmed code via the "respective network compatible devices", i.e. set-top converter for programming the remote control (Goldstein: col 17/lines 62-67 and col 18/lines 14-22).

Claim 13 (canceled)

Regarding claim 14, receiving at the server information about the consumer's electronic equipment (Goldstein: col 4/lines 6-10 and col 9/lines 39-45);

using information obtained about the consumer's electronic equipment for programming the remote control device (Goldstein col 17/lines 62-67), the programmed remote control device for controlling a plurality of consumer's electronic equipment (Goldstein: col 12/lines 23-33);

each consumer information containing information about the consumer electronics equipment of the user (Goldstein: col 17/lines 62-67).

Regarding claim 15, comprising similar limitation as those discussed on claims 1 and 7, same rationale of rejection is applicable, further limitations include

providing at a server connected to a data network, an subscription "user profile" comprising information about the user's consumer electronic equipment (Goldstein: col 4/lines 6-10 and col 9/lines 39-45, LaRocca: col 5/lines 27-41 and col 9/lines 52-65);

programming a remote control device for controlling the user's consumer electronic equipment by using the information about the user's consumer electronic equipment, e.g. their respective IR codes (Goldstein: col 3/lines 58-67);

the server storing information about the user's consumer electronic equipment in a storage means "customer base", thereby creating user profiles base on subscriptions thereof (Goldstein: subscription representing the services, see col 3/lines 29-67, col 16/lines 28-32, col 17/lines 62-67 and col 18/lines 14-22 and LaRocca: database (154) col 5/lines 27-41 and base subscription col 9/lines 52-65).

Regarding claim 16, the limitations of this claim are substantially the same as the limitation of claim 1, 7, and 15, same rationale of rejection is applicable.

Claims 17-18 (canceled)

Regarding claim 19, an user selects through a screen selection "menu" of services "operations" desired provided by the downloaded data (Goldstein: col 18/lines 14-22, col 12/lines 44-53, link menu see col 9/lines 1-49).

Regarding claim 23, programming the remote control device according to the menu system (Goldstein col 14/lines 3-28) using an appliance to download programming data to the remote control device (Goldstein: col 12/lines 23-33).

Regarding claim 24, user interface data provides information of the features that support consumer interaction with the remote control device (Goldstein: col 9/lines 1-49).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein in view of Lea, applied on claim 1, in further view of Harrison et. al. (US 6,490,726).

Regarding claim 25, the applied prior art teaches connecting said television converter box (appliance) to a service provider (server) over a network in response to a user controlling a remote control device, as discussed on claim 1, however does not explicitly teach where the network is the Internet;

Harrison et. al. teach connecting a cable television converter box (appliance) to a service provider (server) over a network in response to a user controlling a remote control device, where the network is the

Internet. Specifically, an Internet mode of operation which allows an appliance user to easily and quickly connect to and reach a site on the Internet (col lines 25-36) using a dedicated button of are remote control of an appliance (col 2/lines 37-45), login on to the Internet by pressing a single button (col 2/lines 53-55);

connecting a cable television converter box (appliance) to a service provider (server) over a Internet network in response to a user controlling a remote control device, e.g. pushing button 72 (col 5/lines 32-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the suggestion of Goldstein for connecting with a service provide and/or interactive performing any other commercial transaction supported by the remote control, the teachings of Lea for establishing a connection to the Internet by actuating a single button with a service provide would be readily apparent. One would be motivated to employ the INTERNET mode of operation, because in doing so the appliance user does not need to know anything about computers or how computers are used to access the Internet, as disclosed by Harrison et. al.

Citation of Pertinent Art:

10. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Copies of Non-Patent Literature documents cited will be provided as set forth in MPEP§ 707.05(a):

(US 5,671,404)

Lizee discloses a system for querying databases automatically. A database system contains a plurality of retrieval objects. The databases system contains a query inputting device which enables to perform query to search for desired retrieval objects. The object of the query inputting device is to input queries and return the result of those queries by returning the number of retrieval objects found and/or the objects found.

(US 4,450,520)

Hollaar et. al. discusses as prior art search through a database entails a process in which a string of input characters from a database stored in some memory device, which may be either fully random/serial access is compared against a pattern of search elements specified, wherein examples of

these systems include information retrieval systems, database management systems, and pattern recognition systems.

(US 5,761,606)

Wolzien teaches connecting a network connectable appliance to a server on the network in response to the particular user controlling a remote control. Specifically, wherein the user may then elect to establish a connection with the online information provider by giving a simple command, e.g., pushing a special button on a remote control. The system then automatically establishes a direct digital communication link to the online information provider through the address embedded on the received signal (see abstract)

(US 6,490,726)

Harrison et. al. teaches appliances with the internet access (title) including, push button group 76, and other user-actuatable buttons of remote control 26, such as push button 72, may be referenced as a second user-actuatable means for establishing a connection to the Internet and thereafter for displaying information available from an Internet site while the module 24 is in the Internet mode.

(US 5,228,077)

Darbee teaches programming a remote control including setting a "DO" command macro (see Fig. 18), for achieving a function that normally requires the actuation of several buttons, by programming one particular button to perform the functions required of the several buttons to achieve a specific function.

(US 6,075,527)

Ichihashi et. al. teaches receiving the request of online information presentation by button operation of the television remote controller from the viewer, transmits the request to the sever, by automatically dialing to the server according to the telephone number information of the line connection destination stored in the communication control block in the RAM (step S72 in FIG. 40).

(US 6,249,809)

Bro teaches a remote control device may have a one-button automatic dialer activator which accesses a dialer in a control box on the televison set, which connects the client directly to the remote central computer or server, as with the telephone system.

A Set-top for Internet Browsing: The UTVSurfer system, Loiue, Wai Ming, vol 38/01 of Masters Abstracts, ISBN 0-612-40941-4, 1998, p. 1-99.

Louie proposes an Internet set-top box for web browsing an emailing (p. 3-4) comprising an windows operating system, a browser, email and a dialer (p. 5), an a graphical user interface displayable on the television monitor ([. 12). A single remote control when programmed is configured to control the set-top box and the television (p. 15) controlling over a wireless link (p. 15), the dialer application is used to connect to an ISP (P. 55). Once the user logs in from screen as shown on Fig. 26, the user connects to an ISP by actuating a connect button shown on the screen (p. 56-57).

Design and Implementation of Internet-TV, Tomari, Y., et. al., IEEE ISBN 0098-3063/97, 1997, p. 953-960.

Tomari et. al. discloses connecting a cable television converter box (appliance) to a service provider (server) over a network in response to a user controlling a remote control device via an Internet button on the remote control (p. 953-954).

Response to Arguments

11. Regarding claim 1, it is argued (p. of remarks) that the applied prior art does not teach claim limitation as recited, specifically, connecting a network connectable appliance to a dedicated server on the network in response to the particular user controlling particular user 's remote control device.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art is noted. However, Goldstein reads, "The programmable universal remote control device is capable of other functions. For instance, an Order Out feature may be added to the universal remote control system. By including a telephone interface, either as part of the cable television converter, or as part of the customer's telephone system, it is possible to place a call to respond to an advertisement displayed on the user's television receiver or the touch screen display. Preferably, the digits of the vendor's telephone can be stored in the remote control system. Upon command selection made on the universal remote control device, a command is sent to the telephone interface to establish a phone connection with the service provider, i.e., fast food delivery service, etc. This phone connection will permit an order to be placed for the particular product being advertised."

12. Regarding claim 1, it is argued (p. 15 of remarks), that the applied prior art does not teach claim limitation as amended, specifically, "requesting by a dedicated server via the network appliance, alphanumeric information from the particular user, corresponding to the particular's user's consumer electronic equipments, wherein said dedicated server request is made to said network connectable appliance response to said connection".

In response to the above-mentioned argument, applicant's interpretation of the applied prior art ha been carefully considered. For the purposes of examination the broadest reasonable interpretation as mandated has been applied (see MPEP2106/2111). Regarding relevant limitation, claimed term "dedicated server" is any host having server functionalities, i.e. provides a service, "alphanumeric information", is information or data, "particular user", is a user, "consumer electronic equipment" is any appliance associated with said user, and "network connectable appliance" is an appliance".

Claim limitation reads, requesting by a host via the appliance, from the user, about his equipments when connected via the appliance. Goldstein teaches where the user communicated with a service provider via a connection between the service provider and the converter (i.e. appliance).

"The programmable universal remote control device is capable of other functions. For instance, an Order Out feature may be added to the universal remote control system. By including a telephone interface, either as part of the cable television converter, or as part of the customer's telephone system, it is possible to place a call to respond to an advertisement displayed on the user's television receiver or the touch screen display. Preferably, the digits of the vendor's telephone can be stored in the remote control system. Upon command selection made on the universal remote control device, a command is sent to the telephone interface to establish a phone connection with the service provider, i.e., fast food delivery service, etc. This phone connection will permit an order to be placed for the particular product being advertised." (col: 4/lines 11-26).

FIG. 13 illustrates how the infrared interface to the universal remote control device can be utilized without requiring the cooperation of the head end cable television facility. A data base having all the required infrared codes for operating appliances manufactured by various manufacturers, is compiled in a data base 111. Other programming data such as the remaining portion of any operating system necessary to completely enable the universal remote control device may also be supplied. More or less of any such operating system may be supplied by the retailer or by the central data base 111.(col 15/lines 20-31)

Either the customer or point of sale retailer initiates a telephone call with the data base via a modem/telephone interface 112 associated with the data base 111. Once the call has been placed, a prerecorded message requests the retailer or customer to provide the phone number from which the call is being made 113. The service supplying the infrared codes will then verify that the phone number is the same as a caller ID number which has been obtained at the data provider's location. (col 15/lines 32-40)

Following verification of the caller ID in 114, the prerecorded message requests the zip code 115 of the caller, and the equipment list 116 for which infrared codes are desired. The caller can input the information requested via the touch pad on the telephone. DTMF tones which, when received at the IR data base 111, identify the devices for which codes are to be transmitted. (col 15/line 41-47)

As can be seen from FIG. 1A, data can enter the remote control device 5 through any of multiple input ports 26, 27 and 28. Additionally, data can be conveyed via the bi-directional link to/from the telephone interface 25. Further, the telephone interface 25 can transfer data from the telephone line 32 to and from the remote control device 5 via the FM bi-directional communications link. A phonetics generator 36 may compose audio messaging for transfer to the remote control device

which will be signaled to the user through the internal speaker 38 of the remote control device 5.

Goldstein teaches requesting by a host via the appliance, from the user, about his equipments when connected via the appliance. Goldstein teaches where the user communicated with a service provider via a connection between the service provider and the converter (i.e. appliance).

13. Regarding claim 1, it is argued (p. of 15 remarks), that the applied prior art does not teach claim limitation as amended, specifically, where said data (control code) matches the alphanumeric information supplied by the particular user.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art ha been carefully considered. Goldstein teaches correlating the corresponding IR codes for the equipment list provided by the user. Specifically, "Once the IR data base 111 verifies the data received as being properly encoded and belonging to equipment for which it has IR codes, the caller is informed in 117 that the IR data base 111 is ready to download the required IR code information."(col 15/lines 49-57).

14. Applicant's argument filed 9/08/05 have been fully considered but not found persuasive.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see http://pair-direct.uspto.gov or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Hand carried or delivered to:
Customer Service Window located at the Randolph Bldg.
401 Dulany St.
Alexandria, VA 22314

Faxed to the Central Fax Office:
(571) 273-8300 (New Central Fax No.) or telephone:

(571) 272-2100 for TC 2100 Customer Service Office.

Beatriz Prieto

BEATRIZ PRIETO
PRIMARY EXAMINER
(571) 272-3902